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5	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE				
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7	JACOB W. V	VHITLEY, II,)		
8		Plaintiff,)	Case No. C10-460-RAJ	
	v.)	ORDER REVERSING AND REMANDING CASE FOR	
9 10	MICHAEL ASTRUE, Commissioner of the)	FURTHER ADMINISTRATIVE PROCEEDINGS	
11		Defendant.))		
12	The Court, after careful consideration of the plaintiff's complaint, the parties' briefs, the				
13	Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate				
14	Judge, and the balance of the record, does hereby find and ORDER:				
15	(1)	(1) The Court adopts the Report and Recommendation.			
16	(2)	(2) The final decision of the Commissioner is REVERSED and the case is			
17	REMANDED to the Social Security Administration for further administrative				
18	proceedings consistent with the Report and Recommendation.				
19	(3) The favorable portion of the ALJ's September 14, 2007 decision shall not be				
20	disturbed.				
21	(4) The Clerk is directed to send copies of this Order to the parties and to Judge				
22	///				
23	///				
	ORDER - 1				

Tsuchida. DATED this 1st day of November, 2010. Richard A Jane The Honorable Richard A. Jones United States District Judge